

Translation

PATENT COOPERATION TREATY

PCT/EP2003/013041



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002P01288WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/013041	International filing date (day/month/year) 20 November 2003 (20.11.2003)	Priority date (day/month/year) 02 December 2002 (02.12.2002)
International Patent Classification (IPC) or national classification and IPC F24C 15/02		
Applicant BSH BOSCH UND SIEMENS HAUSGERÄTE GMBH		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>2</u> sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 02 July 2004 (02.07.2004)	Date of completion of this report 02 May 2005 (02.05.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/013041

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
pages _____ 1-6 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____ 1-9 _____, filed with the letter of 22 December 2004 (22.12.2004)
- ☒ the drawings:
pages _____ 1/2, 2/2 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP 03/13041

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-9	YES
	Claims		NO
Inventive step (IS)	Claims	2-9	YES
	Claims	1	NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following documents:

- D1: EP-A-0 506633 (SMEG SPA), 30 September 1992
D2: GB-A-1 476 724 (GLYNWED DOMESTIC HEATING APPLI), 16 June 1977
D3: US-B1-6 295 004 (BURNETT S MARK), 25 September 2001
D4: US-A-5 870 787 (CHOI SSI CHOL), 16 February 1999

Independent claim 1

Claim 1 meets the EPC requirement of clarity (EPC Article 84), but its subject matter is very general. The phrase "*a particular pivot angle of the unclosed door*" covers any angle greater than zero (>0).

Because of this very general formulation the subject matter of claim 1 is not inventive (PCT Article 33(3)), and therefore the requirements of PCT Article 33(1) are not met.

Documents D1 to D4 (cited in the International Search Report) all disclose doors of household appliances (ovens, dishwashers and washing machines). In each case there is a light source that is activated when the door opens. The various mechanisms ensure that the light sources are activated when the door of the appliance reaches a particular pivot angle (which may even be shortly after the door is opened). Document D3 discloses a warning light that is mounted in the appliance door, not inside the appliance.

Documents D1, D2 and D4 disclose lights that are mounted inside

the respective appliances. Refrigerators with light sources that are activated when the door is opened are also known in the art.

The problem addressed by the present invention, as defined by the current set of claims, can thus be seen as that of making it easier to work inside an appliance with the door open.

The technical feature by means of which this is achieved is a light source which is mounted inside the appliance and is switched on when the door of the appliance is opened. The interior is illuminated and it is easier to work inside the appliance with the door open. However, this feature has already been used for the same purpose in refrigerators and in the household appliances described in documents D1, D2 and D4. A person skilled in the art wishing to achieve the same purpose with a dishwasher could easily incorporate this feature with corresponding results. It would thus be possible to arrive at a dishwasher as defined in claim 1 without making an inventive contribution.

Dependent claim 2

The combination of features specified in dependent claim 2 is neither known from nor suggested by the available prior art.

Dependent claims 3 to 9

If claims 3 to 9 were reformulated in such a way as to make them dependent on claim 1 they would also meet the PCT requirements in respect of novelty and inventive step.

Further observations

The application fails to meet the requirements of PCT Article 6 because claims 3 and 4 are not clear. Claims 3 and 4 mention a weight, and should refer back only to claim 2 because claim 2 is where the weight is specified.

Contrary to the requirements of PCT Rule 5.1(a)(ii), the description does not cite documents D1 to D4 or give an account of the relevant prior art disclosed therein.